

1 **Thomas P. Riley, SBN 194706**  
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**  
3 **First Library Square**  
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5 **South Pasadena, CA 91030**

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7 **Fax: 626-799-9795**  
8 **TPRLAW@att.net**

9 **Attorneys for Plaintiff**  
10 **Garden City Boxing Club, Inc.**

11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 **Garden City Boxing Club, Inc.,**

14 **Plaintiff,**

15 **vs.**

16 **Benjamin Sanchez, et al.**

17 **Defendants.**

18 **CASE NO. C 05-5005 WHA**

19 **STIPULATION OF DISMISSAL OF**  
20 **PLAINTIFF'S COMPLAINT**  
21 **AGAINST DEFENDANTS**  
22 **BENJAMIN SANCHEZ AND ERICA**  
23 **JENNIFER SANCHEZ, individually**  
24 **and d/b/a TAQUERIA EL**  
25 **SOMBRERO # 2**

26 **IT IS HEREBY STIPULATED** by and between Plaintiff GARDEN CITY  
27 **BOXING CLUB, INC.** and Defendants BENJAMIN SANCHEZ and ERICA  
28 **JENNIFER SANCHEZ**, that the above-entitled action is hereby dismissed **without**  
**prejudice** against BENJAMIN SANCHEZ and ERICA JENNIFER SANCHEZ  
subject to the Court's jurisdiction to enforce the settlement agreement reached between  
the Parties.

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1           **IT IS FURTHER STIPULATED** that provided no Party referenced above has  
2 filed a motion to reopen this action by September 25, 2006, this Court shall *not* have  
3 jurisdiction to set aside the dismissal and the dismissal shall be deemed to be **with**  
4 **prejudice**.

5           This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1).  
6 Each Party referenced-above shall bear its own attorneys' fees and costs.  
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10 Dated: August 16, 2006

  
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**LAW OFFICES OF THOMAS P. RILEY, P.C.**

By: Thomas P. Riley  
Attorneys for Plaintiff  
GARDEN CITY BOXING CLUB, INC.

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16 Dated:

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PLEASE SEE ATTACHED

**MERRILL, ARNONE & JONES, LLP**

By: Elizabeth R. Palmer, Esquire  
Attorneys for Defendants BENJAMIN SANCHEZ  
AND ERICA JENNIFER SANCHEZ

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21 **IT IS SO ORDERED:**  
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25 Dated: \_\_\_\_\_

26 **The Honorable William Alsup**  
27 **United States District Court**  
28 **Northern District of California**

1 **IT IS FURTHER STIPULATED** that provided no Party referenced above has  
2 filed a motion to reopen this action by September 25, 2006, this Court shall *not* have  
3 jurisdiction to set aside the dismissal and the dismissal shall be deemed to be **with**  
4 **prejudice**.

5 This dismissal is made pursuant to Federal Rules of Civil Procedure 41(a)(1).  
6 Each Party referenced-above shall bear its own attorneys' fees and costs.  
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9  
10 Dated: August 16, 2006

  
\_\_\_\_\_  
**LAW OFFICES OF THOMAS P. RILEY, P.C.**

By: Thomas P. Riley

Attorneys for Plaintiff

GARDEN CITY BOXING CLUB, INC.

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16 Dated:

  
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**MERRILL, ARNONE & JONES, LLP**

By: Elizabeth R. Palmer, Esquire

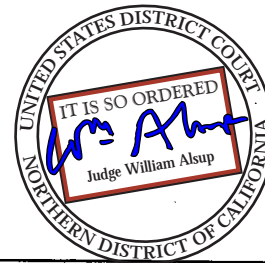
Attorneys for Defendants BENJAMIN SANCHEZ  
AND ERICA JENNIFER SANCHEZ

17  
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21 **IT IS SO ORDERED:**

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24  
25 September 11, 2006

26 **The Honorable William Alsup**  
27 **United States District Court**  
28 **Northern District of California**

Dated: \_\_\_\_\_



**PROOF OF SERVICE (BY OVERNIGHT MAIL)**

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is First Library Square, 1114 Fremont Avenue, South Pasadena, California 91030. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On August 16, 2006, I served:

**STIPULATION OF DISMISSAL OF PLAINTIFF'S COMPLAINT  
AGAINST DEFENDANTS BENJAMIN SANCHEZ AND ERICA  
JENNIFER SANCHEZ, individually and d/b/a TAQUERIA EL  
SOMBRERO # 2**

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Ms. Elizabeth R. Palmer, Esquire	Attorneys for Defendants
Merril, Arnone & Jones, LLP	Benjamin Sanchez and Erica Jennifer Sanchez
3554 Round Bar Blvd., Suite 303	
Santa Rosa, CA 95403	

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on August 16, 2006, at South Pasadena, California.

Dated: August 16, 2006

  
INESA MAMIDJANYAN